



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/244,019 02/04/99 HATANO

I F01-3151/TN

000466 WM02/0227
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EXAMINER

THAI, T

ART UNIT

PAPER NUMBER

2186

DATE MAILED:

02/27/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/244,019

Applicant(s)

Hatanano et al.

Examiner

Tuan V. Thai

Group Art Unit

2486

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE Three(3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 8/8/00
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-10 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-10 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of Reference(s) Cited, PTO-892
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

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Part III DETAILED ACTION

Specification

1. Claims 1-10 are presented for examination.
2. Applicant is reminded of the duty to fully disclose information under 37 CFR 1.56.
3. The drawings have been approved by the Office draftsman.
See attached PTO-948.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-4, 6-7 and 10 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kakitanie et al. (USPN: 5,978,732), hereinafter Kakitanie.

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As per claim 1, 7 and 10; Kakitanie teaches the invention as claimed including an information retrieving method and apparatus for retrieving target information from plural pieces of candidate information having a storage means for storing the plural pieces of candidate information in a hierarchical structure; for example, Kakitanie teaches the path search hierarchical index data storage means 7, 187 (e.g. see figures 1, 18; column 7, lines 23 et seq.; column 8, lines 52 et seq.; column 20, lines 8 et seq.); an input means for input information is taught as setting means 2 wherein the user can input or set a desired destination (e.g. see column 9, lines 18 et seq.); a judging means for judging a correspondence of the inputted information with one of the plural pieces of the candidate information and for judging the hierarchical of the candidate information if the correspondence is obtained and retrieving means for retrieving the candidate information as a target information based on the result of the judging means is taught as the path search index data storage means is stored higher-hierarchy level road network data for retrieving a long distance destination point obtained by selecting many roads included in an optimal path leading to a destination representative point at a long distance from among data of an optimal path obtained by a previous search, and the indicating means indicating a wide-area map obtained depending

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upon the higher-hierarchy level road network (e.g. see abstract; column 12, lines 30 et seq.; column 37, lines 16 et seq.);

As per claim 2, Kakitanie teaches the hierarchical structure is arranged such that each piece of the candidate information belonging to (n+1)-th hierarchy is associated with one of the plural pieces of the candidate information belonging to the n-th hierarchy; for example, Kakitanie clearly discloses that the road network data storage portion of the data storage means 7, 187 having a hierarchical structure as being depicted in figure 5 and further described on column 8, lines 54 et seq.;

As per claims 3 and 4, the concept of lower/higher order index data search in the lower/higher-hierarchical level network is clearly teaches by Kankitanie on column 15, line 63 bridging column 16, lines 18 et seq.; for example, Kankitanie teaches in one search method, when data shown in FIG. 14 is index data of map data shown in FIG. 4, it can be understood that a vehicle may travel toward a link 15 while referring to index data of a node m1 connected to a link 11 in order to move from the link 11 in a direction of A. Further, data of a node m2 connected to the link 15 is referred to find the next connecting link. This is recursively repeated to determine a route to the destination. At the time, if higher order index data is found at each node of path search hierarchical index data which will be described

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infra, the operation moves up to the higher order index data to continue the search.

As per claim 6, Kakitanie clearly teaches wherein the output means outputs the input request information in a form of voice, and the information inputted through the input means is voice information and the input means comprises a voice recognition means for recognizing a content of the inputted voice information (e.g. see column 13, lines 43 et seq.);

Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kakitanie et al. (USPN: 5,978,732), hereinafter Kakitanie.

As per claim 8; Kakitanie disclose the invention as claimed, detailed above with respect to claims 1 and 7; Kakitanie however does not particularly disclose a computer-readable medium of instructions to be implemented on a storage medium as being

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claimed in claims 1, 7 and 10. However, one of ordinary skill in the art would have recognized that computer readable medium (i.e., floppy, cd-rom, etc.) carrying computer-executable instructions for implementing a method, because it would facilitate the transporting and installing of the method on other systems, is generally well-known in the art. For example, a copy of the Microsoft Windows operating system can be found on a cd-rom from which Windows can be installed onto other systems, which is a lot easier than running a long cable or hand typing the software onto another system. The examiner takes Official Notice of this teaching. Therefore, it would have been obvious to put Kakitanie's program on a computer readable medium, because it would facilitate the transporting, installing and implementing of Kakitanie's program on other systems.

As per claim 9, wherein the program controls the computer device to cause the input control means to control a voice information inputted (e.g. see column 13, lines 43 et seq.)

Allowable subject matter

7. Claim 5 is objected to as being dependent upon a rejected based claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure, particularly:

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
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or faxed to:

(703) 308-9051 (for formal communications intended for entry)

Or:

(703) 308-6606 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan V. Thai whose telephone number is 703-305-3842.

The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4:00 PM. The examiner can also be reached on alternate Fridays or e-mailed at tuan.thai@uspto.gov;

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Matthew M. Kim can be reached on (703) 305-3821.

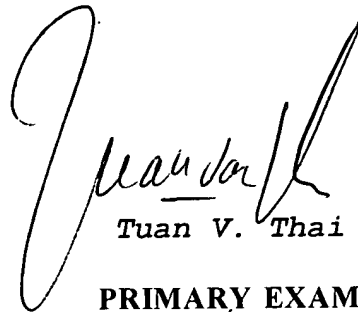
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

TVT/February 20, 2001

A handwritten signature in black ink, appearing to read 'Tuan V. Thai', is written over a printed name. The signature is stylized with a large initial 'T' and a long horizontal stroke.

Tuan V. Thai

PRIMARY EXAMINER

Group 2100